

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

DYAMONE WHITE: DERRICK
SIMMONS: TY PINKINS:
CONSTANCE OLIVIA SLAUGHTER
HARVEY-BURWELL

PLAINTIFFS

VS.

CIVIL ACTION NO. 4:22-cv-00062-SA-JMV

STATE BOARD OF ELECTION
COMMISSIONERS: TATE REEVES
*in his official capacity as Governor of
Mississippi; LYNN FITCH in her
official capacity as Attorney General of
Mississippi; MICHAEL WATSON in
his official capacity as Secretary of
State of Mississippi*

DEFENDANTS

DECLARATION OF MICHAEL B. WALLACE

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Michael B. Wallace. I am an adult resident citizen of Madison County, Mississippi. I have personal knowledge of the facts set forth herein, and I am competent to testify thereto.
2. I am a shareholder in the firm of Wise Carter Child & Caraway. I serve as the firm's lead counsel in our representation of the defendants in the above-captioned action. I have knowledge of this firm's records with regard to that representation.
3. My regular rate in complex commercial matters is \$450.00 per hour. My regular rate in constitutional litigation is \$375.00 per hour. I have agreed to represent the defendants in this action for a discounted rate of \$350.00 per hour.

EXHIBIT

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Attached hereto and made a part hereof as Exhibit "A" is an invoice accurately reflecting services performed by this firm regarding the surrebuttal reports prepared by our two experts, Professor Christopher Bonneau and Professor David Swanson, and their depositions. The invoice also includes expenses incurred in connection therewith. These fees and expenses are reasonable, and the defendants have confirmed their obligation to pay for them.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 20th day of November, 2023.


MICHAEL B. WALLACE

WISE CARTER CHILD & CARAWAY

Lynn Fitch, Attorney General

Invoice

Re: Dyamon White, et al v. State Board of Election Commissioners. et al

Fees				
Date	Description	Atty	Hours	Amount
08/22/23	Attend meeting with D. Swanson	MBW	3.50	1,225.00
09/12/23	Receipt and review of Swanson report.	MBW	1.70	595.00
09/12/23	Receipt and review of Bonneau report.	MBW	0.20	70.00
09/15/23	Receipt and review of email from A. Savitzky regarding deposition; email co-counsel regarding same.	MBW	0.20	70.00
09/15/23	Email to Professor Bonneau regarding deposition; receipt and reply from same.	MBW	0.30	105.00
09/15/23	Email Professor Swanson regarding deposition; receipt and review of reply from same.	MBW	0.30	105.00
09/18/23	Receipt and review of multiple emails from Professor Swanson regarding deposition; reply to same.	MBW	0.40	140.00
09/18/23	Edit letter to A. Savitzky; receipt and review of email from co-counsel regarding same.	MBW	0.60	210.00
09/19/23	Receipt and review of letter from A. Savitzky regarding deposition.	MBW	0.20	70.00
09/19/23	Letter to A. Savitzky.	MBW	0.40	140.00
09/20/23	Edit letter to A. Savitzky; email co-counsel regarding same.	MBW	0.30	105.00
09/20/23	Email Professor Bonneau regarding deposition; receipt and review of reply.	MBW	0.30	105.00
09/20/23	Email Professor Swanson regarding deposition.	MBW	0.30	105.00
09/20/23	Receipt and review of email from A. Savitzky; reply to same.	MBW	0.30	105.00
09/21/23	Email plaintiffs' counsel regarding Bonneau deposition.	MBW	0.10	35.00
09/21/23	Receipt and review of email from A. Savitzky; reply to same.	MBW	0.20	70.00
09/22/23	Receipt and review of email from D. Swanson regarding deposition; reply to same.	MBW	0.20	70.00
09/25/23	Email Professor Bonneau regarding deposition.	MBW	0.30	105.00
09/25/23	Receipt and review of notice of Bonneau deposition.	MBW	0.10	35.00
09/26/23	Receipt and review of multiple emails from Professor Bonneau and co-counsel; reply to same.	MBW	0.40	140.00
09/28/23	Phone meeting with Professor Bonneau.	MBW	0.70	245.00
09/28/23	Office conference with Professor Bonneau and G. Kucia.	MBW	2.00	700.00
09/29/23	Prepare for and attend deposition of Professor Bonneau.	MBW	5.00	1,750.00
09/29/23	Email to D. Swanson regarding deposition; receipt and review replies from same.	MBW	0.40	140.00
09/29/23	Email A. Savitzky regarding deposition; receipt and review of replies from same.	MBW	0.40	140.00
10/02/23	Telephone conference and email to D. Swanson regarding preparation for deposition.	MBW	0.70	245.00
10/02/23	Receipt and review of Swanson Louisiana deposition.	MBW	3.00	1,050.00
10/04/23	Travel to Bellingham, WA.	MBW	11.00	3,850.00
10/04/23	Meeting with D. Swanson.	MBW	2.00	700.00

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DCEL A

10/05/23	Attend D. Swanson deposition; travel to Seattle.	MBW	10.80	3,780.00
10/06/23	Travel from Seattle, WA.	MBW	10.80	3,780.00
10/09/23	Receipt and review of Bonneau emails w/T/test; email co-counsel regarding same.	MBW	0.20	70.00
10/09/23	Letter to Professor Bonneau.	MBW	0.20	70.00
10/09/23	Email Professor Bonneau; receipt and review of reply to same.	MBW	0.20	70.00
10/10/23	Letter to plaintiffs' counsel regarding Bonneau documents.	MBW	0.30	105.00
10/10/23	Email to D. Swanson regarding T-test.	MBW	0.30	105.00
10/11/23	Study Swanson deposition exhibits.	MBW	0.30	105.00
10/11/23	Receipt and review of Bonneau deposition; email Professor Bonneau regarding same.	MBW	0.30	105.00
10/16/23	Study Bonneau deposition.	MBW	2.00	700.00
10/17/23	Study Bonneau transcript; email Professor Bonneau regarding same.	MBW	0.80	280.00
10/20/23	Receipt and review of Swanson deposition transcript; email D. Swanson and R. Shannon; receipt and review of replies to same.	MBW	0.40	140.00
10/22/23	Study Swanson deposition transcript.	MBW	3.30	1,155.00
10/22/23	Receipt and review of email from Professor Swanson; reply to same.	MBW	0.20	70.00
10/23/23	Study Swanson deposition transcript.	MBW	2.60	910.00
10/23/23	Email Professor Swanson regarding correction.	MBW	1.00	350.00
10/23/23	Receipt and review of further correction from D. Swanson; reply to same.	MBW	0.20	70.00
10/24/23	Receipt and review of email from court reporter.	MBW	0.10	35.00
10/24/23	Receipt and review of email from D. Swanson regarding correction.	MBW	0.10	35.00
10/25/23	Receipt and review of email from M. Cheung regarding depositions.	MBW	0.10	35.00
10/25/23	Email co-counsel regarding request from M. Cheung.	MBW	0.50	175.00
10/25/23	Receipt and review of multiple emails from R. Shannon regarding plaintiffs' requests regarding experts; reply to same.	MBW	0.20	70.00
10/26/23	Email Professor Bonneau regarding plaintiffs' requests.	MBW	0.10	35.00
10/26/23	Email Professor Swanson regarding plaintiffs' requests; receipt and review of reply from same.	MBW	0.20	70.00
10/27/23	Receipt and review of email from Professor Bonneau; email co-counsel regarding same.	MBW	0.20	70.00
10/27/23	Study Swanson deposition and T-test.	MBW	0.30	105.00
10/27/23	Telephone conference with Professor Swanson regarding T-test; email Professor Swanson regarding same.	MBW	0.70	245.00
10/28/23	Letter to M. Cheung regarding expert documents.	MBW	0.30	105.00
10/28/23	Receipt and review of email from D. Swanson regarding T-test.	MBW	0.30	105.00

EXPENSES

10/05/23	Hotel Expense; Travel to Bellingham, Washington for expert deposition; hotel expense; Michael Wallace			491.31
10/05/23	Airline Expense; Travel to Bellingham, Washington for expert deposition; airline expense; Michael Wallace			897.40
	Travel Expense; Travel to Bellingham, Washington for expert deposition; car rental; Michael Wallace			165.07
10/05/23	Mileage; Travel to Bellingham, Washington for expert deposition; gas for rental car; Michael Wallace			32.92
	Parking Fee; Travel to Bellingham, Washington for expert deposition; airport parking; Michael Wallace			48.00
10/13/23	Court Reporter Service; Deposition of Christopher Bonneau; Brooks Court Reporting, Inc.			571.00

10/25/23 Court Reporter Service; Deposition of David Arthur Swanson, Ph.D.;
Buell Realtime Reporting, LLC

2,040.70

TOTAL

\$29,621.40
